

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

MELVIN X. LINDSAY,  
Plaintiff

v.

JOHN WETZEL, *et al.*,  
Defendants

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: CIVIL NO. 1:11-CV-893  
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*O R D E R*

AND NOW, this 1st day of March, 2013, upon consideration of the Report and Recommendation ("R&R") of Magistrate Judge Carlson (Doc. 49), to which no objections have been filed, and upon independent review of the record, the court finds no error in the R&R and concludes that the R&R should be adopted. Accordingly, it is ORDERED that:

1. The R&R (Doc. 49) is ADOPTED.
2. Pursuant to the magistrate judge's recommendation, Defendants' motion to dismiss (Doc. 34) is GRANTED. Plaintiff's complaint is dismissed without leave to amend.
3. The Clerk of Court is directed to close this case.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge